

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/17/2019

CLERK OF THE COURT
FORM V000

SPECIAL WATER MASTER
SUSAN HARRIS

A. Hatfield

Deputy

In re: Town of Huachuca City
Contested Case No. W1-11-0245

FILED: 07/23/2019

In Re: The General Adjudication
of All Rights to Use Water in the
Gila River System and Source
W-1, W-2, W-3 and W-4 (Consolidated)

In re: Status Conference

MINUTE ENTRY

Courtroom: CCB 301

2:31 p.m. This is the time set for a status conference before Special Master Susan Ward Harris to consider the claims and resolve objections to Watershed File Report (“WFR”) 111-20-050.

The following attorneys appear in-person: William Anger on behalf of the City of Mesa; Alexandra Arboleda on behalf of the City of Tombstone; Charles Cahoy on behalf of the City of Phoenix; and Mark McGinnis on behalf of Salt River Project.

The following attorneys appear telephonically: Thomas Benavidez on behalf of Town of Huachuca City (“the Town”); David Brown on behalf of Babacomari Ranch Co. LLLP; John Burnside on behalf of BHP Copper; Carla Consoli on behalf of AZ Chapter of the Nature Conservancy; Laurel Herrmann on behalf of San Carlos Apache Tribe and Tonto Apache Tribe; Kimberly Parks on behalf of Arizona Department of Water Resources; Bradley Pew on behalf of ASARCO; and Jay Tomkus on behalf of Pascua Yaqui Tribe and Yavapai-Apache Nation.

Court reporter, Janell Rose, is present and a record of these proceedings is made digitally.

IT IS ORDERED that Thomas Benavidez on behalf of the Town of Huachuca City shall be added to the court-approved mailing list for this contested case W1-11-0245.

Mr. Brown states that his client does not believe that the two of the wells described in the Court's Order of June 12, 2019 are located on property owned by Babacomari Ranch Co. LLLP. He further states that the Town should identify the locations of the wells and the ownership.

The Court inquires of Mr. Benavidez if he can explain the ownership of the land on which wells two and three are located.

Mr. Benevidez states that he is not prepared to do so at this time because he just received notice of these proceedings last week and the Town needs to hire water counsel. Mr. Benevidez is general counsel for the Town. The Town has no objections to entering into settlement discussions with the objectors.

Mr. Brown reiterates that the Town should provide the location and ownership of the wells before the parties enter into settlement discussions.

IT IS ORDERED directing the Town of Huachuca City to hire water counsel and to submit a status report by **October 15, 2019**. The status report will advise the Court regarding the outcome of the meetings between the parties, status of the claims, and ownership of the land on which the Town's wells are located.

2:40 p.m. Matter concludes.

A copy of this order is mailed to all persons listed on the Court- approved mailing list.